

SENATE BILL 2651

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 33,
Chapter 5, relative to developmental disabilities.

WHEREAS, the Developmental Disabilities Task Force created by the 104th General Assembly has completed its work and disseminated its report; and

WHEREAS, other than for mental retardation services, the state of Tennessee has no service system for persons with severe forms of developmental disability, examples of which are cerebral palsy, autism, spina bifida and other disabilities acquired at birth or in the early stages of development; and such disabilities can have just as extreme an effect on the individual's life as that of mental retardation; and they and their families are bearing undue burden because of the high cost of lifelong care; and the safety, health and well-being of Tennesseans with such disabilities and their families is at risk; now, therefore

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 5, Part 2, is amended by adding the following section:

Section 33-5-213. During fiscal year 2008-2009, the family support program administered by the division of mental retardation services shall serve five hundred sixty (560) additional persons who are on the waiting list for such services beyond the number of persons funded in fiscal year 2007-2008 at an annual average cost of one thousand seven hundred eighty-five dollars (\$1,785) per person.

SECTION 2. Tennessee Code Annotated, Title 33, Chapter 5, Part 1, is amended by adding the following sections:

Section 33-5-109. During fiscal year 2008-2009, the personal supports program administered by the division of mental retardation services shall serve one hundred

(100) additional persons with developmental disabilities other than mental retardation beyond the number of persons funded in fiscal year 2007-2008 at an annual average cost of thirteen thousand five hundred dollars (\$13,500) per person. This program will be modeled on the Tennessee Personal Assistance Services and Supports demonstration project.

Section 33-5-110. The division of mental retardation services shall establish an ongoing planning process to guide the development and evaluation of home and community-based services for people with developmental disabilities other than mental retardation. This planning process shall include a diverse representation of persons with developmental disabilities other than mental retardation and their family members. The service plan shall include, but shall not be limited to, the following elements:

- (1) A statewide system of local access to information, referral and enrollment into services;
- (2) Responsive and sensitive policies for managing waiting lists;
- (3) Options for self-directed services;
- (4) Person-centered planning processes that promote community inclusion, personal independence, and productivity;
- (5) Cost-effective services;
- (6) The development of an adequate provider network;
- (7) Expansion of the supply of skilled direct support professionals;
- (8) A quality management system that is responsive to programs and services for persons with developmental disabilities other than mental retardation;
- (9) A data system used to support planning, developing, and implementing services; and

(10) Establishment of a program to provide long-term care services for persons with developmental disabilities other than mental retardation that takes advantage of available federal funding.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.